

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEREMY WILLIAM DEDEKER,

Petitioner,

v.

STUART SHERMAN,

Respondent.

No. 2:20-cv-2056-KJM-EFB P

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks appointment of counsel and an extension of time to oppose respondent's motion to dismiss. ECF No. 18. Petitioner provides no reasons for either request.

I. Motion for Counsel

Petitioner has requested that the court appoint counsel. There currently exists no absolute right to appointment of counsel in habeas proceedings. *See Nevius v. Sumner*, 105 F.3d 453, 460 (9th Cir. 1996). The court may appoint counsel at any stage of the proceedings "if the interests of justice so require." 18 U.S.C. § 3006A; Rule 8(c), Rules Governing § 2254 Cases. Because petitioner has provided no argument supporting his request for counsel, the court finds that the interests of justice would not be served by the appointment of counsel at this time. Accordingly, petitioner's request for appointment of counsel is denied.

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II. Motion for Extension of Time


Petitioner similarly has failed to provide any rationale for his request for an extension of time to oppose the motion to dismiss. Nevertheless, out of caution and a degree of deference to petitioner's incarcerated status, the court will grant an extension of time of 21 days from the date of service of this order.

III. Order

For the foregoing reasons, petitioner's March 24, 2021 motion for appointment of counsel (ECF No. 18) is DENIED and his request for an extension of time to file his opposition to the motion to dismiss is GRANTED. He must file the opposition within 21 days from the date of service of this order.

So ordered.

Dated: March 29, 2021.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE